



Your business  
is our business.

REDACTED – FOR PUBLIC INSPECTION

7852 Walker Drive, Suite 200  
Greenbelt, Maryland 20770  
phone: 301-459-7590, fax: 301-577-5575  
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June 27, 2014

**Via Hand Delivery**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**Re: WC Docket No. 10-90, WC Docket No. 11-42  
2014 ETC Annual Report of Livingston Telephone Company  
Study Area Code 442107**

Dear Ms. Dortch:

On behalf of Livingston Telephone Company (“Livingston”), JSI files the attached confidential and redacted versions of the FCC Form 481 ETC annual reporting information pursuant to sections 54.313 and 54.422 of the Commission’s rules.<sup>1</sup> Livingston seeks confidential treatment under Protective Order for section 54.313(f)(2) financial information.<sup>2</sup> The redacted version is also being filed this date via the FCC’s Electronic Comment Filing System. In addition, attached is a letter requesting confidential treatment under Sections 0.457 and 0.459 of the initial section 54.202(a) Five-Year Service Quality Improvement Plan.<sup>3</sup>

Please direct any questions regarding the filing to the undersigned.

Sincerely,

John Kuykendall  
JSI Vice President  
301-459-7590  
[jkuykendall@jsitel.com](mailto:jkuykendall@jsitel.com)

cc: Charles Tyler, Telecommunications Access Policy Division (two copies, confidential)

<sup>1</sup> 47 C.F.R. §§ 54.313, 54.422.

<sup>2</sup> *Connect America Fund et al.*, WC Docket No. 10-90 *et al.*, Protective Order, DA 12-1857 rel. Nov. 16, 2012 (Protective Order). 47 C.F.R. § 54.313(f)(2).

<sup>3</sup> 47 C.F.R. §§ 0.457, 0.459, 54.202(a).



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June 27, 2014

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**Re: WC Docket No. 10-90, WC Docket No. 11-42  
2014 ETC Annual Report of Livingston Telephone Company  
Study Area Code 442107  
Request for Confidentiality**

Dear Ms. Dortch:

John Staurulakis, Inc. (“JSI”), on behalf of its client Livingston Telephone Company ( “Livingston”) hereby requests, pursuant to Sections 0.457 and 0.459 of the Commission’s rules,<sup>1</sup> withholding from public inspection certain information contained in an attachment to the above referenced reporting requirement. The Company provides the following in support of its request, numbered consistent with the subparagraphs of Section 0.459(b).<sup>2</sup>

1. The information for which the Company is seeking confidential treatment is an attachment to the Company’s annual reporting information pursuant to Sections 54.313 and 54.422 of the Commission’s rules (“Report”).<sup>3</sup>
2. Rate-of-Return Eligible Telecommunications Carriers (“ETCs”) must file with the Commission an initial section 54.202(a) Five-Year Service Quality Improvement Plan (“Five-Year Plan”) which is contained in the attachment to the 2014 Report.<sup>4</sup>
3. The information contained in attachment for which the Company seeks the withholding from public inspection is the entirety of data pertaining to the Company’s Five-Year Plan provided at FCC Form 481 Line 112 attachment. Information of this nature is confidential commercial information routinely withheld from public inspection.

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<sup>1</sup> 47 C.F.R. §§ 0.457, 0.459.

<sup>2</sup> 47 C.F.R. § 0.459(b)(1) through (9).

<sup>3</sup> 47 C.F.R. §§ 54.313, 54.422.

<sup>4</sup> See *In the Matter of Connect America Fund*, WC Docket No. 10-90, Order DA 14-591 (rel. May 1, 2014).

4. With respect to identifying the degree to which the subject attachment concerns a service that is subject to competition, the information is of a financial and competitive nature regarding the provision of telecommunications services. The Line 112 attachment contains competitively sensitive information related to proposed improvements or upgrades and maintenance the Company's network.

In its *March 5, 2013 Order*, the FCC. The FCC specified that for rate-of-return carriers, the five-year plans "should describe the carrier's network improvement plan, which should provide greater visibility into current plans to extend broadband service to unserved locations in rate-of-return service territories."<sup>5</sup> Accordingly, because the Company is a rate-of-return carrier, it must file a five-year service improvement plan which contains proprietary, competitively sensitive information related to the Company's existing network including the specific locations of customers as well as describe proposed improvements or upgrades and maintenance of its network throughout its service area. Specifically, this information sets forth services provided by the Company over its existing network including specific locations of customers as well as planned network improvement and maintenance for the years 2015 through 2019 including project start and completion dates, population that will be impacted by the improvements and upgrades at the wire center level and projected capital costs associated with the improvements and upgrades and operating costs associated with maintaining the network including depreciation for investments that have already been made. As such, this information contains competitively sensitive information related to the Company's existing network as well as detailed plans at the wire center level for network upgrades and maintenance projected for the years 2015 through 2019.

5. With respect to identifying possible exposure to competitive harm, the information contained in the Line 112 attachment is information that is not customarily released to the public. This information is proprietary to the Company, is unique to the Company's serving territory and is only known to the Company and its authorized agents. If the Information is not protected, it would have economic value to potential competitors who would be able to target their marketing to specific customers. In a competitive telecommunications marketplace, this type of information is highly sensitive. If publicly disclosed, it would enable competitors to craft business plans that capitalize on their knowledge of the locations of the Company's customers which would place the Company at a competitive disadvantage.
6. With respect to steps the Company has taken to ensure against unauthorized disclosure of the information contained in the attachment, the Company is filing the attachment under seal. The Company uses the information contained in the Five-Year Plan to ensure that its customers continue to receive state-of-the-art high quality telecommunications and broadband services that the Company has

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<sup>5</sup> See *Connect America Fund et al.*, WC Docket 10-90 *et al.*, Order, DA 13-332 (rel. Mar. 5, 2013) ("*March 5, 2013 Order*") at para 9 citing Section 54.202(a) (1) (ii).

been providing to them for many years as well as to satisfy mandatory reporting requirements and does not share the information for which protection is sought. The Company protects the secrecy of this information with a security protocol that ensures the information is not inadvertently disclosed or disseminated. Only directors, managers and employees with a direct need to know are authorized to access the information.

7. Any previous versions of this information are not publicly available.
8. Because the information is not routinely available, a need exists for maintaining the confidentiality of this information permanently.
9. Not applicable.

Based on the preceding, JSI respectfully requests on behalf of the Company that the Commission grant confidential treatment under Section 0.459 to Company's Five-Year Plan provided at FCC Form 481 Line 112 attachment.

Please contact the undersigned with any questions regarding this request.

Sincerely,

A handwritten signature in black ink, appearing to read "John Kuykendall". The signature is fluid and cursive, with the first name "John" and last name "Kuykendall" clearly distinguishable.

John Kuykendall  
JSI Vice President  
301-459-7590  
[jkuykendall@jsitel.com](mailto:jkuykendall@jsitel.com)

**FCC Form 481 - Carrier Annual Reporting  
Data Collection Form**

REDACTED FOR PUBLIC INSPECTION

 FCC Form 481  
OMB Control No. 3060-0986/OMB Control No. 3060-0819  
July 2013

<010> Study Area Code	442107
<015> Study Area Name	LIVINGSTON TEL CO
<020> Program Year	2015
<030> Contact Name: Person USAC should contact with questions about this data	Gene Ainsworth
<035> Contact Telephone Number: Number of the person identified in data line <030>	9363281117 ext.
<039> Contact Email Address: Email of the person identified in data line <030>	gene.ainsworth@livingston.net

ANNUAL REPORTING FOR ALL CARRIERS		54.313 Completion Required	54.422 Completion Required
(check box when complete)			
<100> Service Quality Improvement Reporting	(complete attached worksheet)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<200> Outage Reporting (voice)	(complete attached worksheet)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<210> <input checked="" type="checkbox"/> <-- check box if no outages to report		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<300> Unfulfilled Service Requests (voice)	0	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<310> Detail on Attempts (voice)	<div style="border: 1px solid black; height: 40px; width: 100%;"></div> (attach descriptive document)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<320> Unfulfilled Service Requests (broadband)	0	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<330> Detail on Attempts (broadband)	<div style="border: 1px solid black; height: 40px; width: 100%;"></div> (attach descriptive document)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<400> Number of Complaints per 1,000 customers (voice)		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<410> Fixed	0.0	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<420> Mobile	0.0	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<430> Number of Complaints per 1,000 customers (broadband)		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<440> Fixed	0.0	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<450> Mobile	0.0	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<500> Service Quality Standards & Consumer Protection Rules Compliance	(check to indicate certification)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<510> <div style="border: 1px solid black; padding: 2px;">442107tx510.pdf</div>	(attached descriptive document)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<600> Functionality in Emergency Situations	(check to indicate certification)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<610> <div style="border: 1px solid black; padding: 2px;">442107tx610.pdf</div>	(attached descriptive document)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<700> Company Price Offerings (voice)	(complete attached worksheet)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<710> Company Price Offerings (broadband)	(complete attached worksheet)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<800> Operating Companies and Affiliates	(complete attached worksheet)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<900> Tribal Land Offerings (Y/N)? <input type="radio"/> <input checked="" type="radio"/>	(if yes, complete attached worksheet)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<1000> Voice Services Rate Comparability	(check to indicate certification)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<1010> <div style="border: 1px solid black; height: 40px; width: 100%;"></div>	(attach descriptive document)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<1100> Terrestrial Backhaul (Y/N)? <input checked="" type="radio"/> <input type="radio"/>	(if not, check to indicate certification)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<1110>	(complete attached worksheet)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<1200> Terms and Condition for Lifeline Customers	(complete attached worksheet)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

**Price Cap Carriers, Proceed to Price Cap Additional Documentation Worksheet**

Including Rate-of-Return Carriers affiliated with Price Cap Local Exchange Carriers

<2000>	(check to indicate certification)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<2005>	(complete attached worksheet)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

**Rate of Return Carriers, Proceed to ROR Additional Documentation Worksheet**

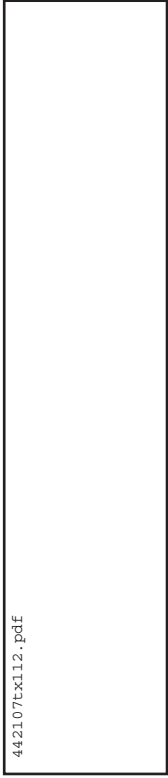
<3000>	(check to indicate certification)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<3005>	(complete attached worksheet)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

<b>(100) Service Quality Improvement Reporting Data Collection Form</b>		FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013
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<010>	Study Area Code	442107
<015>	Study Area Name	LIVINGSTON TEL CO
<020>	Program Year	2015
<030>	Contact Name - Person USAC should contact regarding this data	Gene Ainsworth
<035>	Contact Telephone Number - Number of person identified in data line <030>	9363281117 ext.
<039>	Contact Email Address - Email Address of person identified in data line <030>	gene.ainsworth@livingston.net
<110>	Has your company received its ETC certification from the FCC? If your answer to Line <110> is yes, do you have an existing "5 year plan" filed with the FCC?	<div> <input type="radio"/> (yes / no)         </div> <div> <input checked="" type="radio"/> (yes / no)         </div>
<111>		<div> <input type="radio"/> (yes / no)         </div> <div> <input type="radio"/> (yes / no)         </div>

If your answer to Line <111> is yes, then you are required to file a progress report, on line <112> delineating the status of your company's existing § 54.202(a) "5 year plan" on file with the FCC, as it relates to your provision of voice telephony service.

<112> Attach Five-Year Service Quality Improvement Plan or, in subsequent years, your annual progress report filed pursuant to 47 C.F.R. § 54.313(a)(1). If your company is a CETC which only receives frozen support, your progress report is only required to address voice telephony service.



Name of Attached Document

Please check these boxes below to confirm that the attached document(s), on line 112, contains a progress report on its five-year service quality improvement plan pursuant to § 54.202(a). The information shall be submitted at the wire center level or census block as appropriate.


- <113> Maps detailing progress towards meeting plan targets
- <114> Report how much universal service (USF) support was received
- <115> How (USF) was used to improve service quality
- <116> How (USF) was used to improve service coverage
- <117> How (USF) was used to improve service capacity
- <118> Provide an explanation of network improvement targets not met in the prior calendar year.

FCC Form 481  
OMB Control No. 3060-0986/OMB Control No. 3060-0819  
July 2013

gene.ainsworth@livingston.net

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FCC Form 481  
OMB Control No. 3060-0986/OMB Control No. 3060-0819  
July 2013

<010>	Study Area Code	442107
<015>	Study Area Name	LIVING
<020>	Program Year	2015
<030>	Contact Name - Person USAC should contact regarding this data	Gene A
<035>	Contact Telephone Number - Number of person identified in data line <030>	936328
<039>	Contact Email Address - Email Address of person identified in data line <030>	gene.a

[illegible]

OMB Control No. 3060-0986/OMB Control No. 3060-0819  
July 2013

Livingston Telephone Company
US Connect
Livingston Telephone Company

-- See attached worksheet --

<b>(900) Tribal Lands Reporting Data Collection Form</b>		FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013
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<010>	Study Area Code	442107
<015>	Study Area Name	LIVINGSTON TEL CO
<020>	Program Year	2015
<030>	Contact Name - Person USAC should contact regarding this data	Gene Ainsworth
<035>	Contact Telephone Number - Number of person identified in data line <030>	9363281117 ext.
<039>	Contact Email Address - Email Address of person identified in data line <030>	gene.ainsworth@livingston.net

<910> Tribal Land(s) on which ETC Serves

<920> Tribal Government Engagement Obligation

Name of Attached Document

If your company serves Tribal lands, please select (Yes, No, NA) for each these boxes to confirm the status described on the attached document(s), on line 920, demonstrates coordination with the Tribal government pursuant to § 54.313(a)(9) includes:

<921>	Needs assessment and deployment planning with a focus on Tribal community anchor institutions.	Select (Yes, No, NA)
<922>	Feasibility and sustainability planning;	
<923>	Marketing services in a culturally sensitive manner;	
<924>	Compliance with Rights of way processes	
<925>	Compliance with Land Use permitting requirements	
<926>	Compliance with Facilities Siting rules	
<927>	Compliance with Environmental Review processes	
<928>	Compliance with Cultural Preservation review processes	
<929>	Compliance with Tribal Business and Licensing requirements.	

(1100) No Terrestrial Backhaul Reporting  
Data Collection Form

FCC Form 481  
OMB Control No. 3060-0986/OMB Control No. 3060-0819  
July 2013

<010>	Study Area Code	442107
<015>	Study Area Name	LIVINGSTON TEL CO
<020>	Program Year	2015
<030>	Contact Name - Person USAC should contact regarding this data	Gene Ainsworth
<035>	Contact Telephone Number - Number of person identified in data line <030>	9363281117 ext.
<039>	Contact Email Address - Email Address of person identified in data line <030>	gene.ainsworth@livingston.net

☐

Please check this box to confirm no terrestrial backhaul options exist within the supported area pursuant to § 54.313(G)

<1120>

☐

Please check this box to confirm the reporting carrier offers broadband service of at least 1 Mbps downstream and 256 kbps upstream within the supported area pursuant to § 54.313(G)

<1130>

<b>(1200) Terms and Condition for Lifeline Customers</b>		FCC Form 481
<b>Lifeline</b>		OMB Control No. 3060-0986/OMB Control No. 3060-0819
<b>Data Collection Form</b>		July 2013

<010>	Study Area Code	442107
<015>	Study Area Name	LIVINGSTON TEL CO
<020>	Program Year	2015
<030>	Contact Name - Person USAC should contact regarding this data	Gene Ainsworth
<035>	Contact Telephone Number - Number of person identified in data line <030>	9363281117 ext.
<039>	Contact Email Address - Email Address of person identified in data line <030>	gene.ainsworth@livingston.net

<1210> Terms & Conditions of Voice Telephony Lifeline Plans

Name of Attached Document

<1220> Link to Public Website

HTTP

"Please check these boxes below to confirm that the attached document(s), on line 1210, or the website listed, on line 1220, contains the required information pursuant to § 54.422(a)(2) annual reporting for ETCs receiving low-income support, carriers must annually report:

☒

<1221> Information describing the terms and conditions of any voice telephony service plans offered to Lifeline subscribers,

☒

<1222> Details on the number of minutes provided as part of the plan,

☒

<1223> Additional charges for toll calls, and rates for each such plan.

<b>(2000) Price Cap Carrier Additional Documentation</b>		FCC Form 481
<b>Data Collection Form</b>		OMB Control No. 3060-0986/OMB Control No. 3060-0819
<i>Including Rate-of-Return Carriers affiliated with Price Cap Local Exchange Carriers</i>		July 2013

<010>	Study Area Code	442107
<015>	Study Area Name	LIVINGSTON TEL CO
<020>	Program Year	2015
<030>	Contact Name - Person USAC should contact regarding this data	Gene Ainsworth
<035>	Contact Telephone Number - Number of person identified in data line <030>	9363281117 ext.
<039>	Contact Email Address - Email Address of person identified in data line <030>	gene.ainsworth@livingston.net

**CHECK the boxes below to note compliance as a recipient of Incremental Connect America Phase I support, frozen High Cost support, High Cost support to offset access charge reductions, and Connect America Phase II support as set forth in 47 CFR § 54.313(b),(c),(d),(e) the information reported on this form and in the documents attached below is accurate.**

<b>Incremental Connect America Phase I reporting</b>	
<2010> 2nd Year Certification (47 CFR § 54.313(b)(1))	<input type="checkbox"/>
<2011> 3rd Year Certification (47 CFR § 54.313(b)(2))	<input type="checkbox"/>
<b>Price Cap Carrier Receiving Frozen Support Certification (47 CFR § 54.312(a))</b>	
<2012> 2013 Frozen Support Certification	<input type="checkbox"/>
<2013> 2014 Frozen Support Certification	<input type="checkbox"/>
<2014> 2015 Frozen Support Certification	<input type="checkbox"/>
<2015> 2016 and future Frozen Support Certification	<input type="checkbox"/>
<b>Price Cap Carrier Connect America ICC Support (47 CFR § 54.313(d))</b>	
<2016> Certification Support Used to Build Broadband	<input type="checkbox"/>
<b>Connect America Phase II Reporting (47 CFR § 54.313(e))</b>	
<2017> 3rd year Broadband Service Certification	<input type="checkbox"/>
<2018> 5th year Broadband Service Certification	<input type="checkbox"/>
<2019> Interim Progress Certification	<input type="checkbox"/>
<2020>	<p>Please check the box to confirm that the attached document(s), on line 2021, contains the required information pursuant to § 54.313 (e)(3)(ii), as a recipient of CAF Phase II support shall provide the number, names, and addresses of community anchor institutions to which began providing access to broadband service in the preceding calendar year.</p>

<2021> Interim Progress Community Anchor Institutions

Name of Attached Document Listing Required Information

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FCC Form 481

OMB Control No. 3060-0986/OMB Control No. 3060-0819

July 2013

(3000) Rate Of Return Carrier Additional Documentation

Data Collection Form

<010>	Study Area Code	442107
<015>	Study Area Name	LIVINGSTON TEL CO
<020>	Program Year	2015
<030>	Contact Name - Person USAC should contact regarding this data	Gene Ainsworth
<035>	Contact Telephone Number - Number of person identified in data line <030>	9363281117 ext.
<039>	Contact Email Address - Email Address of person identified in data line <030>	gene.ainsworth@livingston.net

CHECK the boxes below to note compliance on its five year service quality plan (pursuant to 47 CFR § 54.202(a)) and, for privately held carriers, ensuring compliance with the financial reporting requirements set forth in 47 CFR § 54.313(f)(2). I further certify that the information reported on this form and in the documents attached below is accurate.

(3010) Progress Report on 5 Year Plan

Milestone Certification (47 CFR § 54.313(f)(1)(ii))

Name of Attached Document Listing Required Information

(3011) Please check this box to confirm that the attached document(s), on line 3012 contains the required information pursuant to § 54.313 (f)(1)(ii), the carrier shall provide the number, names, and addresses of community anchor institutions to which began providing access to broadband service in the preceding calendar year.

(3012) Community Anchor Institutions (47 CFR § 54.313(f)(1)(iii))

Name of Attached Document Listing Required Information

(3013) Is your company a Privately Held ROR Carrier (47 CFR § 54.313(f)(2))

(3014) If yes, does your company file the RUS annual report

Please check these boxes to confirm that the attached document(s), on line 3017, contains the required information pursuant to § 54.313(f)(2) compliance requires:

(3015) Electronic copy of their annual RUS reports (Operating Report for Telecommunications Borrowers)

(3016) Document(s) for Balance Sheet, Income Statement and Statement of Cash Flows

(3017) If the response is yes on line 3014, attach your company's RUS annual report and all required documentation

Name of Attached Document Listing Required Information

(3018) If the response is no on line 3014, Is your company audited?

(3019) If the response is yes on line 3018, please check the boxes below to confirm your submission, on line 3026 pursuant to § 54.313(f)(2), contains

Either a copy of their audited financial statement; or (2) a financial report in a format comparable to RUS Operating Report for Telecommunications

(3020) Document(s) for Balance Sheet, Income Statement and Statement of Cash Flows

(3021) Management letter issued by the independent certified public accountant that performed the company's financial audit.

If the response is no on line 3018, please check the boxes below to confirm your submission, on line 3026 pursuant to § 54.313(f)(2), contains:

(3022) Copy of their financial statement which has been subject to review by an independent certified public accountant; or 2) a financial report in a format comparable to RUS Operating Report for Telecommunications Borrowers,

(3023) Underlying information subjected to a review by an independent certified public accountant

(3024) Underlying information subjected to an officer certification.

(3025) Document(s) for Balance Sheet, Income Statement and Statement of Cash Flows

442107tx3026.pdf

(3026) Attach the worksheet listing required information

Name of Attached Document Listing Required Information

<b>Certification - Reporting Carrier Data Collection Form</b>	FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013
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<010>	Study Area Code	442107
<015>	Study Area Name	LIVINGSTON TEL CO
<020>	Program Year	2015
<030>	Contact Name - Person USAC should contact regarding this data	Gene Ainsworth
<035>	Contact Telephone Number - Number of person identified in data line <030>	9363281117 ext.
<039>	Contact Email Address - Email Address of person identified in data line <030>	gene.ainsworth@livingston.net

**TO BE COMPLETED BY THE REPORTING CARRIER, IF THE REPORTING CARRIER IS FILING ANNUAL REPORTING ON ITS OWN BEHALF:**

Certification of Officer as to the Accuracy of the Data Reported for the Annual Reporting for CAF or LI Recipients	
I certify that I am an officer of the reporting carrier; my responsibilities include ensuring the accuracy of the annual reporting requirements for universal service support recipients; and, to the best of my knowledge, the information reported on this form and in any attachments is accurate.	
Name of Reporting Carrier:	
Signature of Authorized Officer:	Date
Printed name of Authorized Officer:	
Title or position of Authorized Officer:	
Telephone number of Authorized Officer:	
Study Area Code of Reporting Carrier:	Filing Due Date for this form:
Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act of 1934, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.	



<b>Certification - Agent / Carrier Data Collection Form</b>	FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013
---	--

<010> Study Area Code	442107
<015> Study Area Name	LIVINGSTON TEL CO
<020> Program Year	2015
<030> Contact Name - Person USAC should contact regarding this data	Gene Ainsworth
<035> Contact Telephone Number - Number of person identified in data line <030>	9363281117 ext.
<039> Contact Email Address - Email Address of person identified in data line <030>	gene.ainsworth@livingston.net

**TO BE COMPLETED BY THE REPORTING CARRIER, IF AN AGENT IS FILING ANNUAL REPORTS ON THE CARRIER'S BEHALF:**

<b>Certification of Officer to Authorize an Agent to File Annual Reports for CAF or LI Recipients on Behalf of Reporting Carrier</b>	
I certify that (Name of Agent) <u>Diane Longenecker</u> is authorized to submit the information reported on behalf of the reporting carrier. I also certify that I am an officer of the reporting carrier; my responsibilities include ensuring the accuracy of the annual data reporting requirements provided to the authorized agent; and, to the best of my knowledge, the reports and data provided to the authorized agent is accurate.	
Name of Authorized Agent:	<u>Diane Longenecker</u>
Name of Reporting Carrier:	<u>LIVINGSTON TEL CO</u>
Signature of Authorized Officer:	<u>CERTIFIED ONLINE</u> Date: <u>06/26/2014</u>
Printed name of Authorized Officer:	<u>Gene Ainsworth</u>
Title or position of Authorized Officer:	<u>VP / Business Manager</u>
Telephone number of Authorized Officer:	<u>9363281117 ext.</u>
Study Area Code of Reporting Carrier:	<u>442107</u> Filing Due Date for this form: <u>07/01/2014</u>
Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act of 1934, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.	

**TO BE COMPLETED BY THE AUTHORIZED AGENT:**

<b>Certification of Agent Authorized to File Annual Reports for CAF or LI Recipients on Behalf of Reporting Carrier</b>	
I, as agent for the reporting carrier, certify that I am authorized to submit the annual reports for universal service support recipients on behalf of the reporting carrier; I have provided the data reported herein based on data provided by the reporting carrier; and, to the best of my knowledge, the information reported herein is accurate.	
Name of Reporting Carrier:	<u>LIVINGSTON TEL CO</u>
Name of Authorized Agent or Employee of Agent:	<u>Diane Longenecker</u>
Signature of Authorized Agent or Employee of Agent:	<u>CERTIFIED ONLINE</u> Date: <u>06/26/2014</u>
Printed name of Authorized Agent or Employee of Agent:	<u>Diane Longenecker</u>
Title or position of Authorized Agent or Employee of Agent:	<u>Manager - Regulatory Affairs</u>
Telephone number of Authorized Agent or Employee of Agent:	<u>5123380473 ext.235</u>
Study Area Code of Reporting Carrier:	<u>442107</u> Filing Due Date for this form: <u>07/01/2014</u>
Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act of 1934, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.	

## Attachments

**REDACTED – FOR PUBLIC INSPECTION**

**LIVINGSTON TELEPHONE COMPANY (SAC 442107)**

**ATTACHMENT - LINE 112**

**FIVE YEAR SERVICE QUALITY IMPROVEMENT PLAN**

**ATTACHMENT REDACTED IN ENTIRETY**

**Livingston Telephone Company**

**Study Area Code: 442107**

**Response to Line 510 - Service Quality Standards and Consumer Protection Rules**

**Compliance – Voice and Broadband**

In establishing this certification in its *2005 ETC Order*,<sup>1</sup> the FCC found that an ETC must make “a specific commitment to objective measures to protect consumers.”<sup>2</sup> The FCC found that for wireless ETCs, compliance with CTIA’s Consumer Code for Wireless Service would satisfy this requirement and that the sufficiency of other commitments would be considered on a case-by-case basis.<sup>3</sup> In this context, the FCC stated, “to the extent a wireline or wireless ETC applicant is subject to consumer protection obligations under state law, compliance with such laws may meet our requirement.”<sup>4</sup>

Livingston Telephone Company (“Company”) hereby certifies that its voice service complies with applicable service quality standards and consumer protection rules under the Texas Administrative Code, Title 16, Part II, as established by the Public Utility Commission of Texas. These obligations include, but are not limited to, the following: (1) filing a Local Exchange Tariff which discloses rates, terms and conditions of service to customers pursuant to Subchapter J requirements in Sections 26.201-26.230; (2) adherence to state consumer protection requirements

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<sup>1</sup> *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Report and Order, FCC 05-46 (rel. Mar. 17, 2005) (“*2005 ETC Order*”).

<sup>2</sup> *Id.* at para. 28.

<sup>3</sup> *Id.* The FCC noted that under the CTIA Consumer Code, wireless carriers agree to: “(1) disclose rates and terms of service to customers; (2) make available maps showing where service is generally available; (3) provide contract terms to customers and confirm changes in service; (4) allow a trial period for new service; (5) provide specific disclosures in advertising; (6) separately identify carrier charges from taxes on billing statements; (7) provide customers the right to terminate service for changes to contract terms; (8) provide ready access to customer service; (9) promptly respond to consumer inquiries and complaints received from government agencies; and (10) abide by policies for protection of consumer privacy.” *Id.* at n. 71.

<sup>4</sup> *Id.* at n. 72.

governing telephone providers as identified in Subchapter B, in Sections 26.21-26.37; and (3) service quality standards requirements as identified in Subchapter C, Sections 26.51 -26.57. In addition, the Company complies with numerous federal consumer protection standards including, but not limited to: (1) Truth-in-Billing Rules outlined in 47 CFR § 64.2401; and (2) compliance with Federal CPNI rules, Red Flag Rules and other applicable federal and state requirements governing the protection of customers' privacy.

For its broadband service, Company hereby certifies that while there are no applicable state broadband service quality standards and consumer protection rules yet established under the Texas Administrative Code by the Public Utility Commission of Texas, the Company discloses rates, terms and conditions on its public web site and the Company complies with applicable federal and state customer protection standards generally applicable to all businesses operating in Texas. In addition, the Company adheres to consumer protection obligations for broadband services under federal law. These obligations include, but are not limited to, the following: public disclosure of accurate information regarding network management practices, performance, and commercial terms of broadband internet access services; as a means of providing sufficient information for consumers to make informed choices regarding use of such services, and for content, application, service and device providers to develop, market, and maintain internet offerings as specified in F.C.C. 47 C.F.R. Part 8 §8.3.

**Livingston Telephone Company**

**Study Area Code: 442107**

**Response to Line 610 - Ability to Function in Emergency Situations  
for Voice and Broadband**

Livingston Telephone Company (“Company”) hereby certifies that it is able to function in emergency situations as set forth in the Code of Federal Regulations, Title 47, Part 54, Subpart C, §54.202(a)(2)<sup>1</sup> and the Texas Administrative Code. The Company’s network is designed to remain functional in emergency situations without an external power source, is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations as required by Section 54.202(a)(2). The Company can change call routing translations as needed to reroute traffic around damaged facilities. Changing call routing translations also allows the Company to manage traffic spikes throughout its network, as emergency situations require.

Specifically, the Company is able to function under emergency operations in accordance with Public Utility Commission of Texas Substantive Rules §26.51 *Reliability of Operations of Telecommunications Providers* and §26.52 *Emergency Operations* which include obligations for continuity of service and emergency operations planning and service provision capability for dominant carriers. Any central office not equipped with permanently installed standby generators contains as a minimum four hours of battery reserve without voltage falling below the level required for proper operation of all equipment. In addition, all central offices without installed

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<sup>1</sup> Section 54.202(a)(2) requires ETCs that are designated by the Commission to “demonstrate its ability to remain functional in emergency situations, including a demonstration that it has a reasonable amount of back-up power to ensure functionality without an external power source, is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations.”

emergency power facilities have a mobile power unit available which can be delivered and connected on short notice.

The Company's standby generators and battery back-up equipment support both voice and broadband network equipment in the event of an emergency situation.





(710) Broadband Price Offerings  
Data Collection Form  
FCC Form 481  
OMB Control No. 3060-0986/OMB Control No. 3060-0819  
July 2013

<010>	Study Area Code	442107
<015>	Study Area Name	LIVINGSTON TEL CO
<020>	Program Year	2015
<030>	Contact Name - Person USAC should contact regarding this data	Gene Ainsworth
<035>	Contact Telephone Number - Number of person identified in data line <030>	9363281117 ext.
<039>	Contact Email Address - Email Address of person identified in data line <030>	gene.ainsworth@livingston.net

[illegible]

(800) Operating Companies  
Data Collection Form

<010>	Study Area Code	442107
<015>	Study Area Name	LIVINGSTON TEL CO
<020>	Program Year	2015
<030>	Contact Name - Person USAC should contact regarding this data	Gene Ainsworth
<035>	Contact Telephone Number - Number of person identified in data line <030>	9363281117 ext.
<039>	Contact Email Address - Email Address of person identified in data line <030>	gene.ainsworth@livingston.net
<810>	Reporting Carrier	Livingston Telephone Company
<811>	Holding Company	US Connect
<812>	Operating Company	Livingston Telephone Company

[illegible]

# **Livingston Telephone Company, Inc.**

**Study Area Code: 442107**

## **Rates, Terms and Conditions for Lifeline Service**

**(Response to Form 481, Line 1210)**

Local exchange service rates and charges as specified below are for basic local exchange service, including Tone Dialing Service, and facilities only. The rates for other ancillary services not specifically shown below are presented in Livingston Telephone Company, Inc.'s tariff(s) on file with the Public Utility Commission of Texas. Unless otherwise specified, the rates and charges quoted below are for a period of one month, payable in advance and provide unlimited flat rate calling within the local exchange calling scope.

### Residential Local Exchange Access Line Rates:<sup>(1)(2)</sup>

<b>Exchange Name</b>	<b>R-1 Rate</b>
Livingston	\$11.73

<sup>(1)</sup> Above listed fees do not include mandatory taxes, fees and surcharges, including, but not limited to Texas Universal Service Fund charges, 9-1-1 fees, and municipal franchise fees.

<sup>(2)</sup> Qualified Lifeline customers are eligible for Lifeline credits or discounts as outlined in the attached Lifeline tariff.

LIVINGSTON TELEPHONE COMPANY, INC.  
LIVINGSTON, TEXAS

SECTION 4  
5th Revised Page 17  
Replacing 4th Revised Page 17

**CUSTOMER SERVICES TARIFF**

**4. LOCAL EXCHANGE SERVICE**

**4.5 LIFELINE PROGRAM**

**4.5.1 General**

- A. The Lifeline Program is a retail local service offering designed to make telephone service available at reduced rates to qualifying low-income customers.
- B. A qualifying low-income customer subscribing to the Lifeline Program shall receive federal and state reduction to their monthly tariffed residential local exchange access line rate.
- C. Nothing in this section shall prohibit a customer who is otherwise eligible for the Lifeline Program from obtaining and using telecommunications equipment and services designed to aid such customer in utilizing qualifying telecommunications services.
- D. Lifeline Program reductions do not apply to surcharges, taxes, long distance service, 976 and other information related telecommunications services, and optional services such as custom calling features. Customers may obtain these services, where available, at their discretion.
- E. The Lifeline Program rate reductions do not apply to service connection charges.

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Issued: April 4, 2012

Curt Walzel, Vice President-General Manager  
701 W. Church Street  
Livingston, TX 77351-3198

Effective: April 2, 2012

**LIVINGSTON TELEPHONE COMPANY, INC.**  
LIVINGSTON, TEXAS

**SECTION 4**  
6th Revised Page 18  
Replacing 5th Revised Page 18

**CUSTOMER SERVICES TARIFF**

**4. LOCAL EXCHANGE SERVICE**

**4.5 LIFELINE PROGRAM (Continued)**

**4.5.1 General (Continued)**

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| F. | The Company may not disconnect the service of a Lifeline Program customer for the non-payment of toll charges. However, the Company reserves the right to implement toll blocking, at no charge, if the customer incurs a significant balance of unpaid toll bills. The Company will inform the customer, by direct mail, of this change to their service due to the customer's non-payment of toll charges. Upon the customer's payment of all outstanding toll charges, the Company shall remove mandatory toll blocking at no charge. | T |
| G. | Upon subscribing to the Lifeline Program, a customer will be offered a subscription, at no charge, to toll blocking service (in exchanges where technically available) which denies the customer access to the long distance telecommunications network; however, the customer is under no obligation to accept the subscription to toll blocking.   | T |
| H. | Lifeline Program rate reductions will not be available on a retroactive basis unless approved by the Public Utility Commission of Texas or the Low-Income Discount Administrator (LIDA).   | T |

**4.5.2 Designated Lifeline Program Services**

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|---|---|-------|
| The Company shall offer voice telephony services that provide the following functionalities as designated, Lifeline Program services: |   | T     |
| A.  | Voice grade access to the public switched network or its functional equivalent    | <br>T |
| B.  | Minutes of use for local service provided at no additional charge to the customer |       |
| C.  | Access to emergency services  |       |
| D.  | Toll blocking service   |       |

LIVINGSTON TELEPHONE COMPANY, INC.  
LIVINGSTON, TEXAS

**SECTION 4**  
6th Revised Page 19  
Replacing 5th Revised Page 19

**CUSTOMER SERVICES TARIFF**

**4. LOCAL EXCHANGE SERVICE**

**4.5 LIFELINE PROGRAM (Continued)**

**4.5.3 Eligibility Requirement**

**A. Qualifying (Eligible) Customer Criteria**

An eligible customer shall be defined as an individual whose annual household income is at or below 150% of the federal poverty guidelines or in whose household resides a person who receives or has a child who receives benefits from at least one of the following programs:

- |  |   |
|--|---|
| 1. Medicaid  |   |
| 2. Food Stamps (Supplemental Nutrition Assistance Program)                             | T |
| 3. Supplemental Security Income (SSI)  |   |
| 4. Federal Public Housing Assistance (FPHA)  |   |
| 5. Low-Income Heat and Energy Assistance Program (LIHEAP)                              |   |
| 6. Health benefits coverage under the state Children's Health Insurance Program (CHIP) |   |
| 7. National School Lunch Program's Free Lunch Program                                  | N |
| 8. Temporary Assistance for Needy Families   | N |

The Lifeline Program rate reductions will be provided to each eligible customer. The Low-Income Discount Administrator (LIDA) will provide a list of eligible customers to the Company each month.

**B. Obligations of the Customers**

1. Customers whose annual household income is at or below 150% of the federal poverty guidelines or who participate in FPHA or LIHEAP programs may self-enroll for Lifeline Program benefits by completing an application form and returning it to LIDA. LIDA will send a blank application upon customer request. LIDA can be reached at 1-866-4LITEUP. Current customers receiving benefits under Medicaid, Food Stamps, SSI or CHIP will be subject to the Lifeline Program automatic enrollment procedures as provided by the LIDA unless they provide a written request to the LIDA to be excluded from the Lifeline Program.
2. A customer who is eligible for the Lifeline Program but does not have telephone service at the time the LIDA provides its eligibility list to the company, shall be responsible for initiating a request for the Lifeline Program from the Company.

**C. Obligations of the Company**

1. LIDA will provide a list of eligible customers to the Company on a monthly basis. Upon receipt of the list, the Company shall begin reduced billing for those customers within 30 days.

Issued: April 4, 2012

Effective: June 1, 2012

Curt Walzel, President  
701 W. Church Street  
Livingston, TX 77351-3198

LIVINGSTON TELEPHONE COMPANY, INC.  
LIVINGSTON, TEXAS

**SECTION 4**  
4th Revised Page 20  
Replacing 3rd Revised Page 20

**CUSTOMER SERVICES TARIFF**

**4. LOCAL EXCHANGE SERVICE**

**4.5 LIFELINE PROGRAM (Continued)**

**4.5.3 Eligibility Requirement (Continued)**

**D. Discontinuance of Service**

1. Discontinuance of Lifeline Discounts for customers automatically enrolled: The eligibility period for automatically enrolled customers is the length of their enrollment in Texas Health and Human Services Commission (THHSC) benefits plus a period of 60 days for renewal. Automatically enrolled customers will have an opportunity to renew their THHSC benefits or self-enrollment with LIDA upon the expiration of their automatic enrollment T
2. Discontinuance of Lifeline Discounts for customers who have self-enrolled: Individuals not receiving benefits through THHSC programs, but who have met Lifeline income qualifications, are eligible to receive the Lifeline Discount for seven months, which includes a period of 60 days during which the customer may renew their eligibility with LIDA for an additional seven months. T

**4.5.4 Deposit and Credit Requirements**

- A. The Company shall be prohibited from charging a service deposit in order to initiate the Lifeline Program if the eligible customer voluntarily elects to receive toll blocking.
- B. The Company may charge a service deposit if the eligible customer denies subscription to toll blocking upon subscribing to the Lifeline Program.

Issued: October 18, 2005

Curt Walzel, President  
701 W. Church Street  
Livingston, TX 77351-3198

Effective: Upon Approval

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LIVINGSTON TELEPHONE COMPANY, INC.  
LIVINGSTON, TEXAS

**SECTION 4**  
2nd Revised Page 21  
Replacing 1st Revised Page 21

**CUSTOMER SERVICES TARIFF**

**4. LOCAL EXCHANGE SERVICE**

**4.5 LIFELINE PROGRAM (Continued)**

**4.5.4 Deposit and Credit Requirements (Continued)**

- C. In instances where the Company may require a service deposit, the same credit verification procedures and deposit regulations used for all applicants who apply for service with the Company are also applicable to eligible customers for the Lifeline Program.

**4.5.5 Service Connection Charges**

- A. Service connection charges do not apply to eligible customers with existing, qualifying service converting to the Lifeline Program.
- B. Service Connection charges do apply when:
1. Existing eligible customer requests additional non-qualifying services at the time Lifeline Program reduced billing is initiated.
  2. New customers (those without existing local exchange access service) eligible for the Lifeline Program establish service.
  3. Customers make subsequent moves or changes after the initial connection to Lifeline Program.

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Issued: April 4, 2012

Curt Walzel, Vice President-General Manager  
701 W. Church Street  
Livingston, TX 77351-3198

Effective: April 2, 2012



**LIVINGSTON TELEPHONE COMPANY, INC.**  
LIVINGSTON, TEXAS

**SECTION 4**  
2nd Revised Page 22  
Replacing 1st Revised Page 22

**CUSTOMER SERVICES TARIFF**

**4. LOCAL EXCHANGE SERVICE**

**4.5 LIFELINE PROGRAM (Continued)**

**4.5.6 Lifeline Program Rate Reduction**

**A. Implementation**

The Company shall provide reduced billing for all Lifeline Program eligible customers within its service area in accordance with the Commission's Substantive Rules.

In instances where a customer inquires about participation in the Lifeline Program, the Company shall provide contact information for LIDA.

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Issued: May 6, 2004

Curt Walzel, Vice President-General Manager  
701 W. Church Street  
Livingston, TX 77351-3198

Effective: Upon Approval

LIVINGSTON TELEPHONE COMPANY, INC.  
LIVINGSTON, TEXAS

**SECTION 4**  
5th Revised Page 23  
Replacing 4th Revised Page 23

**CUSTOMER SERVICES TARIFF**

**4. LOCAL EXCHANGE SERVICE**

**4.5 LIFELINE PROGRAM (Continued)**

**4.5.6 Lifeline Program Rate Reduction (Continued)**

**B. Amounts**

The Company shall apply Lifeline Program rate reductions, per eligible customer, as described below.

	<u>Monthly Rate Reduction</u>
a. Federal Reduction applied to Federal Subscriber Line Charge and Residential Local Exchange Access Line Charge	47.C.F.R Section 54.403
b. Maximum State Reduction to Residential Local Exchange Access Line Rate	\$3.50

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Issued: April 4, 2012

Curt Walzel, Vice President-General Manager  
701 W. Church Street  
Livingston, TX 77351-3198

Effective: April 2, 2012

**REDACTED – FOR PUBLIC INSPECTION**

**LIVINGSTON TELEPHONE COMPANY (SAC 442107)**

**ATTACHMENT - LINE 3026**

**ATTACHMENT REDACTED IN ENTIRETY**